

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2413 of 2015

Arising Out of PS.Case No. -66 Year- 2013 Thana -KATHAIYA District- MUZAFFARPUR

Abul Hyat @ Abdul Hyat son of Abdul Motin Resident of village - Fateha,
P.S. Kathaiya, District - Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL ORDER

3 25-03-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in Kathaiya P.S. Case No.
66 of 2013 dated 19.07.2013 corresponding to S.T. No. 845 of
2013 instituted under Sections 147/307/341/324/326 of the
Indian Penal Code.

Earlier the prayer for bail of the petitioner was
rejected on 23.06.2014 in Cr. Misc. No. 11452 of 2014 with
direction to the court below to conclude the trial within six
months.



Pursuant to order of the Court dated 25.02.2015, a report has been received from the 9th Additional District and Sessions Judge, Muzaffarpur under letter no. 148 dated 10.03.2015 in which it appears that about five witnesses have been examined out of total 13 witnesses. It has further been stated that the order of the Court dated 23.06.2014 passed in Cr. Misc. No. 11452 of 2014 was for the first time placed before it on 23.02.2015.

Learned counsel for the petitioner submits that the informant who has deposed before the Court has stated that he did not see who had inflicted the knife blow and the incident was a result of petty dispute between the children of both the parties and further that the parties are agnates and the matter has been compromised between them. It is submitted that the petitioner having no other criminal antecedent is in custody since 13.08.2013.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 3rd Additional Sessions Judge,

Muzaffarpur in Kathaiya P.S. Case No. 66 of 2013 corresponding to S.T. No. 845 of 2013. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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